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PLANNING COMMISSION STAFF REPORT

CASE NUMBER: SPC-2015-0143B **COMMISSION DATE**: 11/10/2015

ADDRESS: 202 Nueces Street

PROJECT NAME: Block 188

APPLICANT: City of Austin (Fred Evins)

P.O. Box 1088

Austin, TX 78767 (512) 974-7115

DEVELOPER: TC Austin Development Inc.

100 Congress Ave. Suite 225

Austin, TX 78701

CASE MANAGER: Nikki Hoelter Phone: 974-2863

nikki.hoelter@austintexas.gov

COUNCIL DISTRICT: Kathie Tovo – 9

NEIGHBORHOOD PLAN: Downtown Plan

WATERFRONT OVERLAY SUBDISTRICT: North Shore Central

LEGAL DESCRIPTION: Lot 1A Block 188 Thomas C Green Subdivision

PROJECT DESCRIPTION:

The applicant is proposing to construct a 33 story building, which will include a hotel, condominiums, restaurant and retail land use. Parking will be provided within a below surface parking garage, in addition sidewalk improvements, utilities and other associated improvements are proposed on .489 acres. Sidewalks will be built to Great Street standards.

PROJECT REQUEST:

Staff is requesting approval of the site plan, under LDC Section 25-2-721(A)(1), This subsection provides requirements for review and approval of site plans; approval of a site plan by the Land Use Commission is required if an applicant request a waiver from a requirement of this part under Section 25-2-713 (Variances).

A waiver was posted on the Commission's agenda, LDC Section 25-2-738(E) – States a structure must fit within an envelope delineated by a 70 degree angle starting at a line 45 feet above the property boundary line nearest Town Lake, Shoal Creek, or Waller Creek, with the base of the angle being a horizontal plane extending from the line parallel to and away from the surface of Town Lake, Shoal Creek or Waller Creek. The waiver was previously approved by Planning

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Commission on June 23, 2015, after discussions with staff it was determined the waiver didn't require a revision. The waiver is pulled from the agenda and no further action is required.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the site plan with conditions;

- 1) Approval by City Council of the encroachment agreement for the building to encroach in to the right of way; and
- 2) Approval of the license agreement for Great Street improvements.

The Master Development Agreement authorizes the approval of the license agreement for the subterranean improvements. The applicant will still be required to go through the license agreement process to document all information. The license agreement will be executed prior to obtaining building permits.

The site plan is required to obtain approval of the site plan by the Planning Commission; because the project requested and received a waiver on June 23, 2015, from a section in the waterfront overlay combining district, the site plan as a whole must now come back through the process for approval.

The site plan would have otherwise been approved administratively.

Without meeting the conditions the site plan will not be released, which will prevent the development from receiving building permits.

STAFF SUMMARY

This site is known as Block 188 and is part of the Green Water Treatment Plant Master Development Agreement. The MDA was approved by City Council affording a private, public partnership to develop city owned properties. The MDA in some instances may trump current code, to permit dense development and develop under codes and ordinances currently in effect when the MDA was approved.

With the MDA the City receives a number of benefits, a few being a monetary contribution for the improvements of Shoal Creek, a contribution to the Art in Public Places and public Music, additionally, the MDA requires a mix of used within a building or development, whereas this wouldn't be a requirement in the Land Development Code.

Two other projects have been approved under this same MDA, Block 1, at the corner of Cesar Chavez and San Antonio Street and Block 23, which is at the corner San Antonio and West 2nd Street.

The development requires an aerial encroachment agreement for the building to encroach in to the right of way along West 2nd Street and Nueces Street. The encroachment will be about 33 feet above grade, but remain behind the curb line. This type of agreement requires City Council approval; it's currently scheduled for the November 19, 2015 council agenda. Real Estate Services Department reviews and processes the application.

Because the encroachment is such a large part of the building area and requires City Council approval prior to site plan approval AND release, the condition is being included in the staff recommendation.

Given the size of the lot, location of the project and the governing ordinances associated with the site and the Green Water Treatment Master Development Agreement, the project will meet all

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code requirements. The overall design of the building meets the architectural design of the waterfront overlay requirements.

The site along with four other tracts of land on the Green Water Treatment property was rezoned in 2008, from P, Public to CBD-CURE, Central Business District/Central Urban Redevelopment District. The zoning change included a less restrictive FAR, floor to area ratio for the properties, from 8:1 to 35:1, allowing greater density and gross floor area.

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The design has taken into account one goal of the waterfront overlay section of the Land Development Code, which is to not create a canyon effect along Shoal Creek. The proposed development allows for a better pedestrian experience in an urban setting, which is in line with a newly adopted City of Austin policy, Complete Streets. Focusing on connecting the pedestrian to nearby Shoal Creek and trail, the new Central Library and Seaholm Redevelopment via the 2^{nd} Street Bridge.

Aesthetics have been achieved in complying with the waterfront overlay; such as providing a distinctive building top for the structure, providing underground parking and not using glare producing or mirrored glass as part of the building materials. The outdoor decking was slightly moved to the east to remain outside the primary setback of the Waterfront Overlay. The primary setback is 60 feet from the centerline of Shoal Creek.

The project plans to achieve an Austin Energy Green Building minimum 2 Star rating. The development has received approval for a waiver from detention. Water quality is provided by an underground tank constructed under separate permit.

BOARDS AND COMMISSION ACTION

The site plan before the commission currently, SPC-2015-0143B, Block 188, is the construction site plan which now includes all construction elements such as landscaping detail, parking, drainage, water quality, site development regulations, Great Street sidewalk requirements, and utilities.

ACTIONS:

ENVIRONMENTAL COMMISSION: October 7, 2015 – Recommended approval of the site plan (9-0)

DESIGN COMMISSION: September 28, 2015 Recommended approval of the site plan. (9-0)

BOARDS AND COMMISSION ACTION

The following board and commission actions were taken on a *land use only site plan*, for this site, case number SPC-2015-0112A, Block 188. This site plan was only for the review and approval of a waiver from Land Development Code Section 25-2-738(E), A structure must fit within an envelope delineated by a 70 degree angle starting at a line 45 feet above the property boundary line nearest Shoal Creek, with the base of the angle being a horizontal plane extending from the line parallel to and away from the surface of the Shoal Creek. This is the waiver referenced previously in the report.

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The site plan (SPC-2015-0112A) did not allow for any construction or improvements to the site. The applicant wanted to ensure the waiver would be approved before moving forward with engineering and construction site plans.

ACTIONS:

PLANNING COMMISSION: June 23, 2015 Approved by consent (8-0) (Waiver only)

ENVIRONMENTAL BOARD: June 17, 2015 (6-0-1) J. Schissler – abstain – Recommended approval of the request **waiver**, with the condition the development not vary from the exhibit provided by the applicant, Exhibit C. (provided as an attachment)

WATERFRONT PLANNING ADVISORY BOARD: April 13, 2015 (5-0) – Recommended Approval of the **waiver** from LDC Section 25-2-738(E)

PROJECT INFORMATION

I ROJECT INFORMATION			
SITE AREA	17,685 square feet	.489 acres	
EXISTING ZONING	CBD-CURE		
WATERSHED	Town Lake (Urban)		
WATERSHED ORDINANCE	Watershed Protection Ordinance (Urban)		
TRAFFIC IMPACT ANALYSIS	Not required, but conducted with the Seaholm District TIA		
CAPITOL VIEW CORRIDOR	N/A		
PROPOSED ACCESS	Nueces Street and W. 2 nd Street		
	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	35:1	0	23.7:1
BUILDING COVERAGE	100%	0	19,974 SF/ 90%
IMPERVIOUS COVERAGE	100%	0%	100%
PARKING	184	0	184

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EXISTING ZONING AND LAND USES

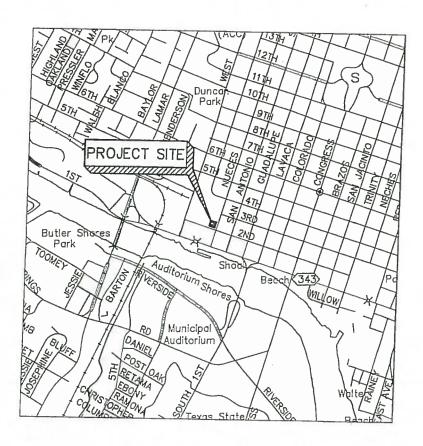
	ZONING	LAND USES
Site	CBD-CURE	Vacant
North	CBD	Indoor entertainment (Austin Music Hall)
South	CBD-CURE	Vacant
East	CBD-CURE	Mixed use(Block 1, under construction) –hotel,
		office, restaurant
West	P, public	Shoal Creek

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
W. 2 nd Street	80'	60'	Collector
Nueces Street	80'	60'	Collector
Alley to the north		varies	

NEIGHBORHOOD ORGNIZATIONS:

- 511—Austin Neighborhoods Council
- 742—Austin Independent School District
- 786—Home Builders Association of Greater Austin
- 1037—Homeless Neighborhood Assn.
- 1075—League of Bicycling Voters
- 1113—Austin Parks Foundation
- 1200—Super Duper Neighborhood Objectors and Appealers Organization
- 1224—Austin Monorail Project
- 1228—Sierra Club, Austin Regional Group
- 1236—The Real Estate Council of Austin, Inc.
- 998 West End Austin Alliance
- 1340 Heritage Tree Foundation
- 1075 Bike Austin
- 623 City of Austin Downtown Commission
- 767 Downtown Austin Neighborhood Coalition
- 57 Original Austin Neighborhood Association
- 1367 SEL Texas
- 1004 Save Townlake Organization



BLOCK 188

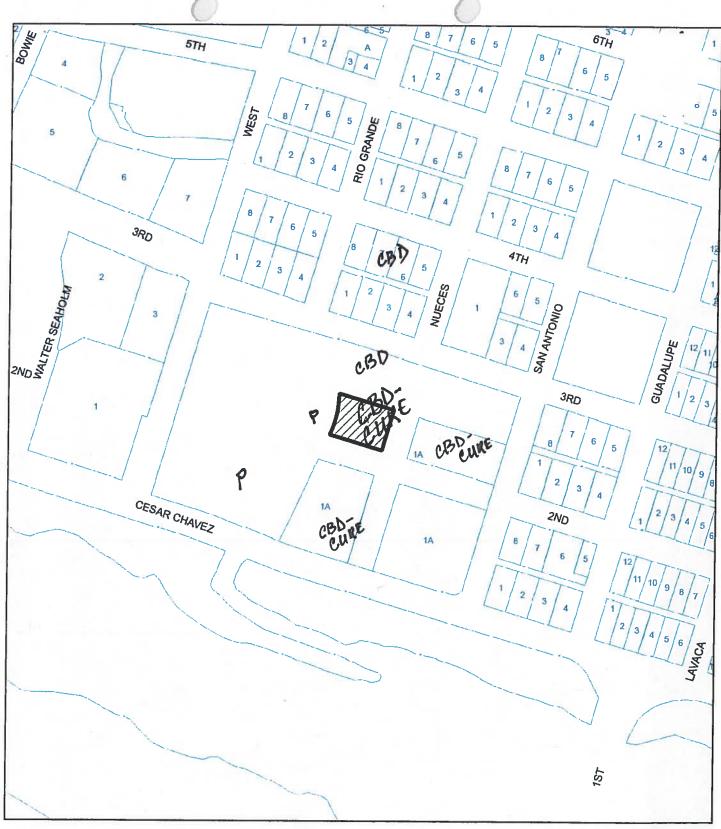
VICINITY MAP

JONES & CARTER, INC.
ENGINEERS - PLANNERS - SURVEYORS
Texas Board of Professional Engineers Registration No. F-439
1701 Directors Bird., Subs 400 Austin, Texas 78744 (512) 441-6423

SCALE: 1" = 2000'

DATE: 3/4/2015

JOB NO: A648-0004





Subject Tract

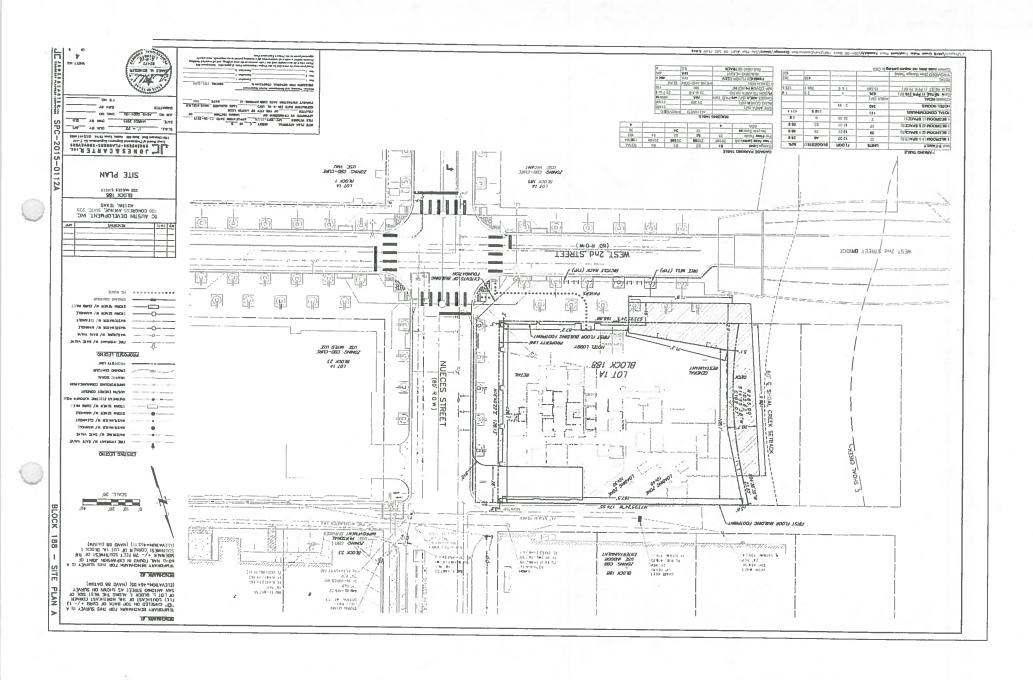
Base Map

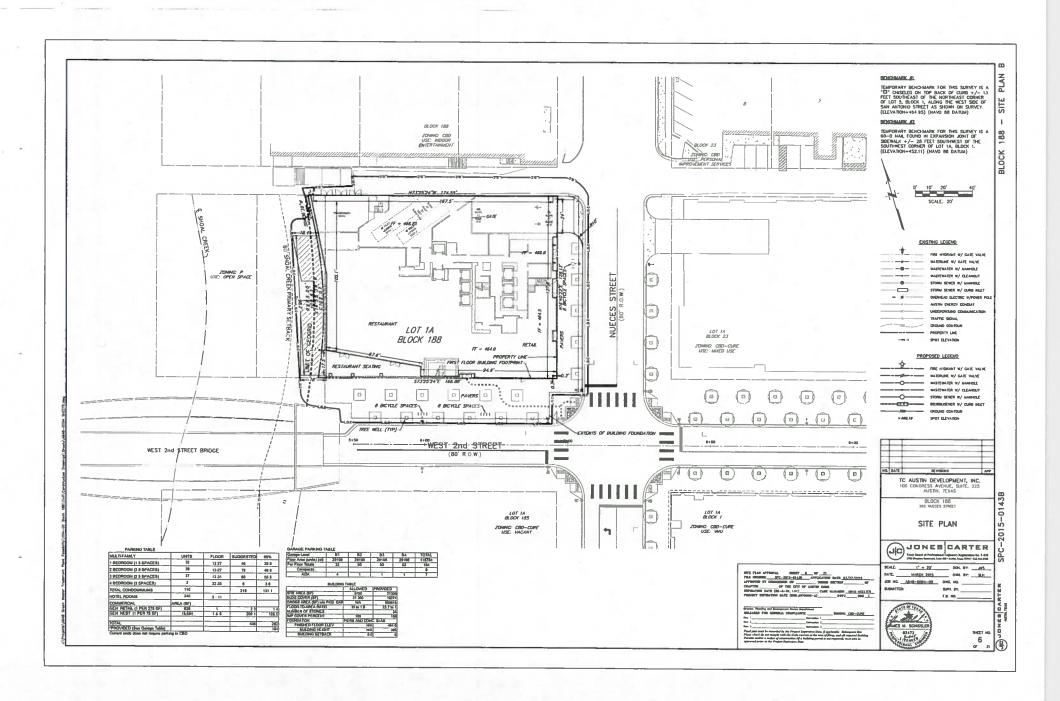
CASE#: SP-2015-0112A ADDRESS: 202 NUECES ST.

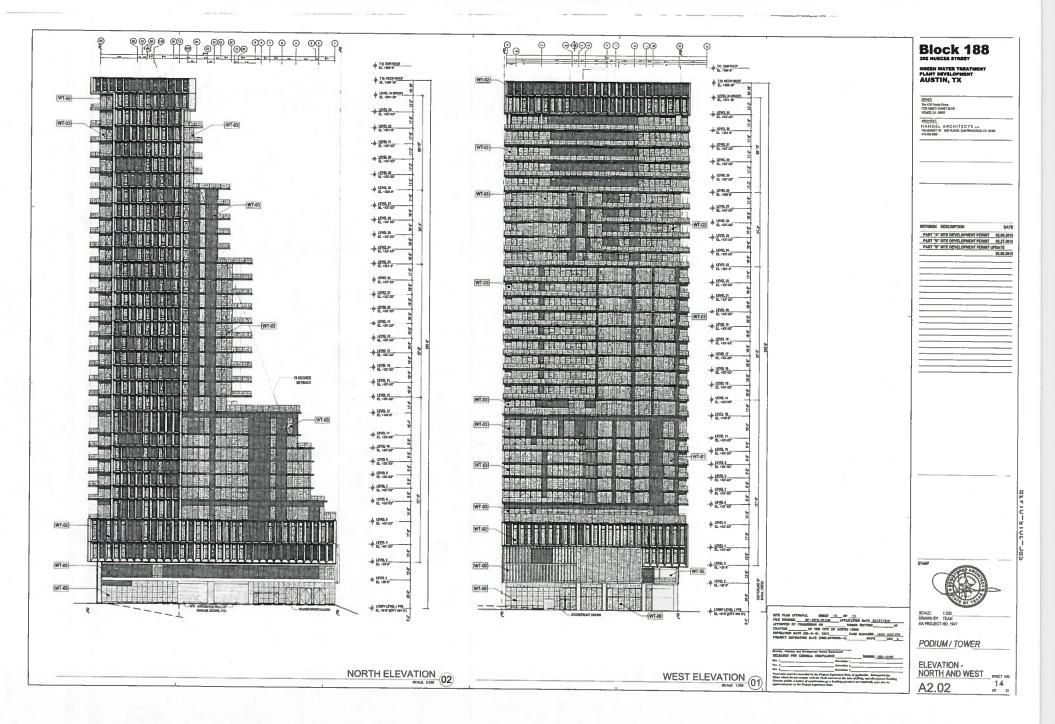
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes, it does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

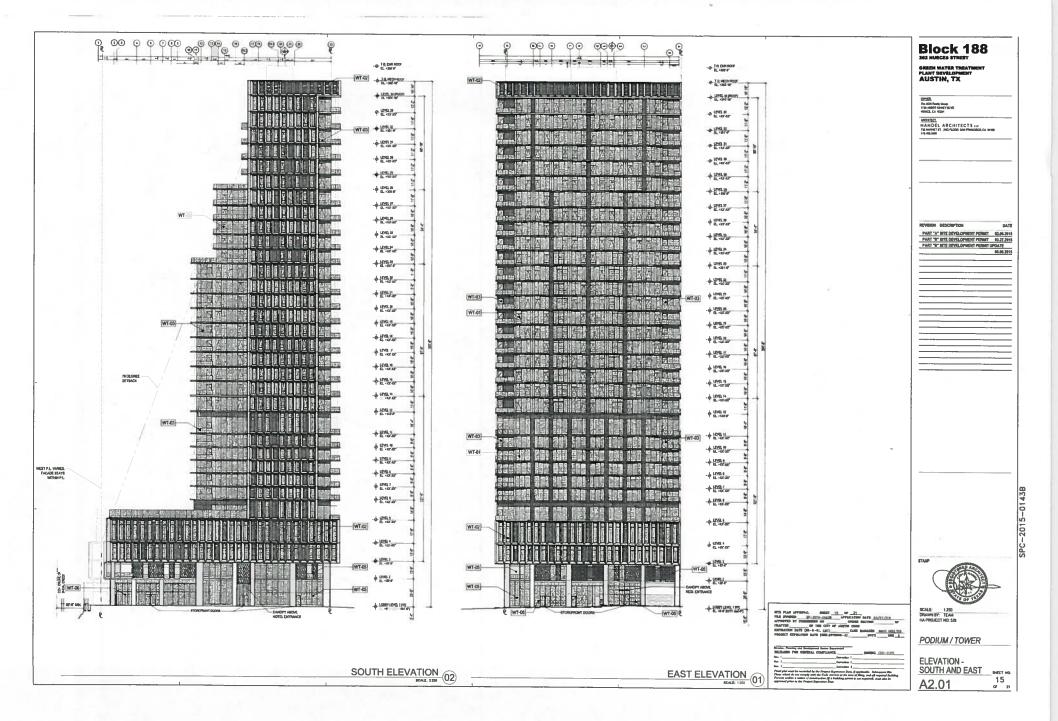
This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.











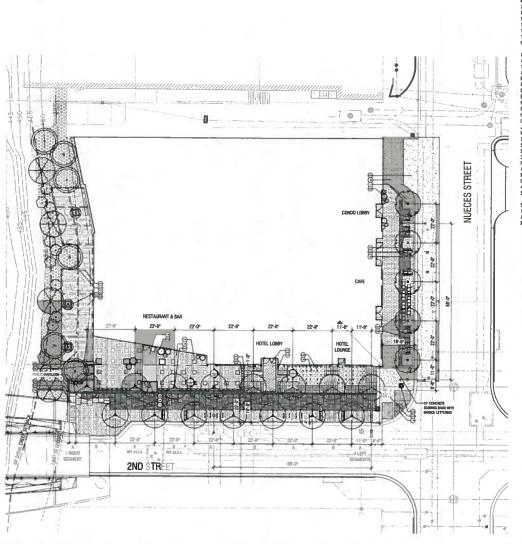
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*** NOTE: DUE TO THE DEUSE NATURE OF THIS PROJECT, BUILD-OUT TO THE PROPERTY LINE, NO SUPERACE PARKING ON THE PROVATE SITE, AND NO EXISTING TIREES; THIS PROJECT HAS NO REQUIRED AMOSCAPE AREAS FOR THE STREET YARD, BUFFERING, PARKING, OR TREE MITRIATION. IT IS ON COMPLIANCE WITH SURGINAPTER E - DESIGN STANDARDS AND RESURES LIFE.

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APPENDIX 0 - LANDCAPE/RANGATION NOTES

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Block 188

GREEN WATER TREATMENT AUSTIN, TX

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DESCRIPTION	BA

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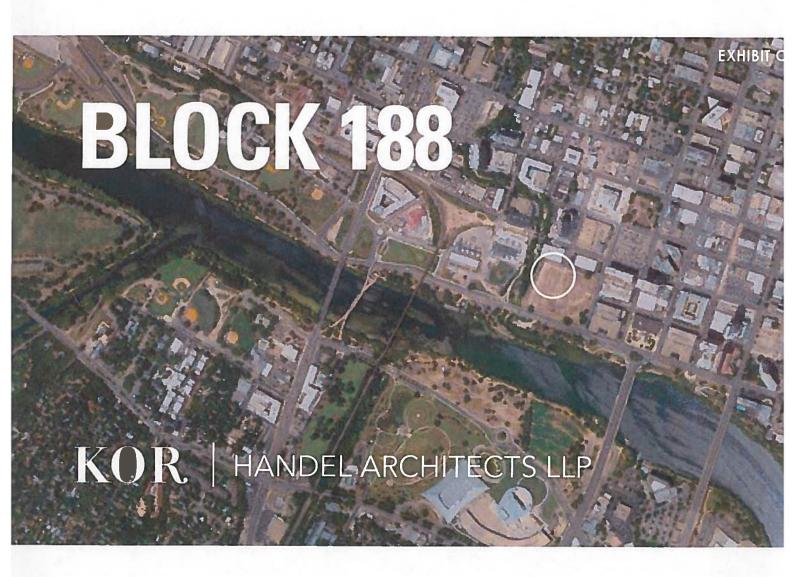
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STAMP

KEY PLAN

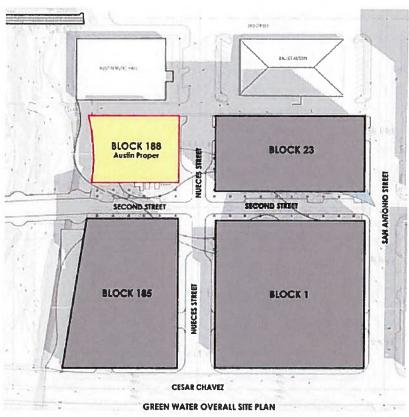
LANDSCAPE PLAN

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GREEN WATER REDEVELOPMENT OVERALL SITE PLAN



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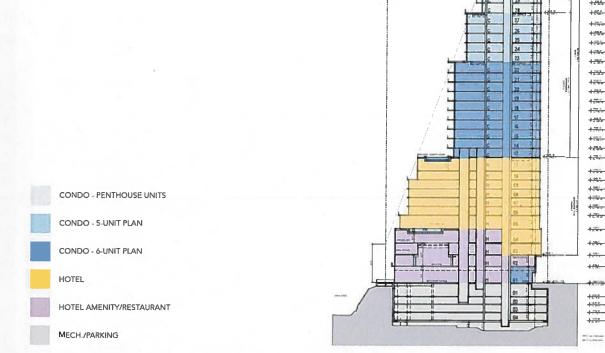
VIEW FROM ACROSS SHOAL CREEK - LOOKING NE

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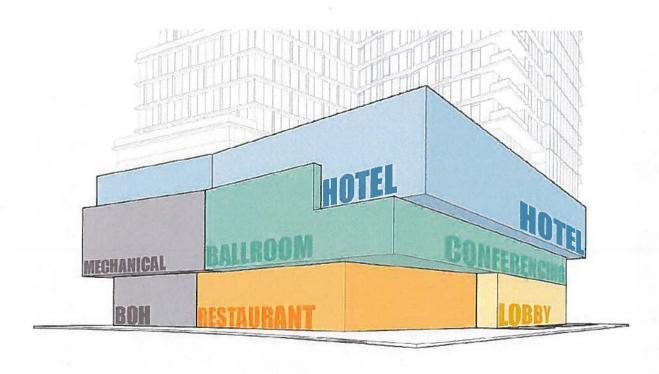
AERIAL VIEW

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BUILDING SECTION

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PROGRAM DIAGRAM - PODIUM

BLOCK 188, AUSTIN , TX | SEPT. 17, 2015

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PODIUM - SW - RESTAURANT

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PODIUM - SOUTH - RESTAURANT & HOTEL ENTRY

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PODIUM - SE - HOTEL & CAFE

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GL-01 (OPTIGRAY) WINDOW WALL & STORE-FRONT GLASS

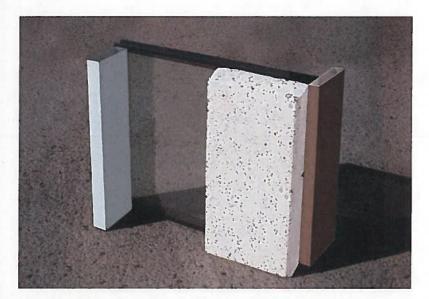




MTL-1.1 (DRIFTWOOD MICA) WINDOW WALL & STORE-FRONT MULLIONS



MTL-1.2 (ICE SILVER) WINDOW WALL FINS





EXTERIOR MATERIALS

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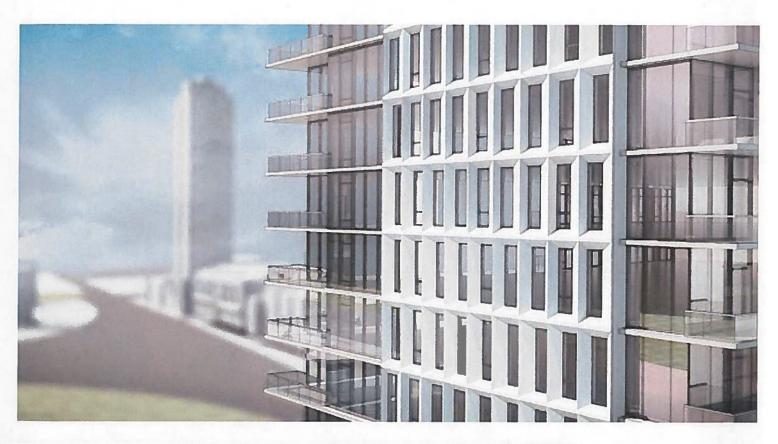


WINDOW WALL - CRINKLE & FLAT

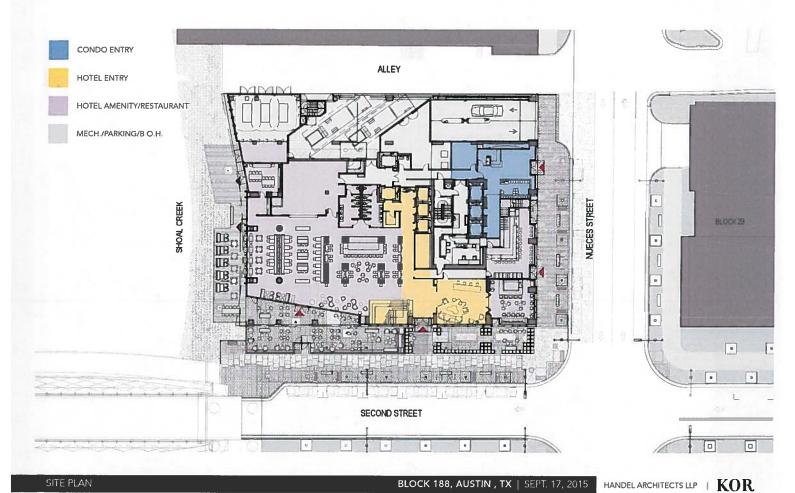
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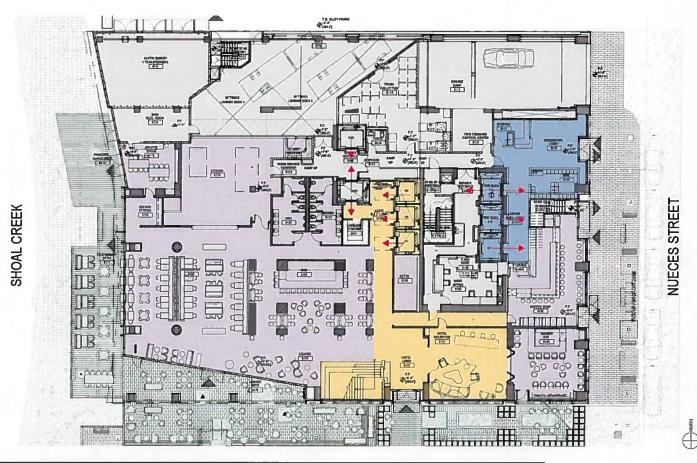


FACADE CONCEPT



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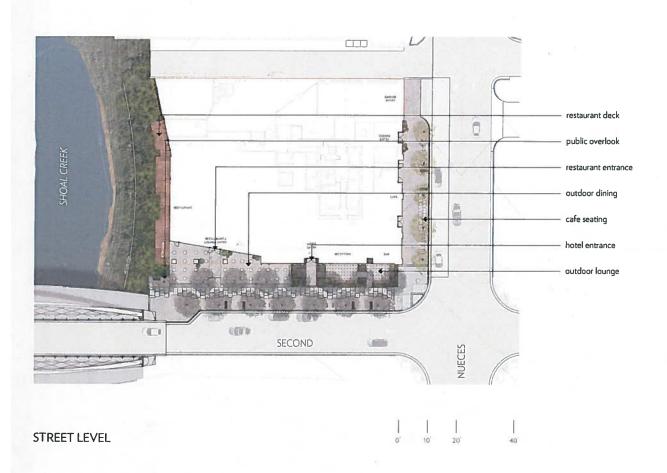
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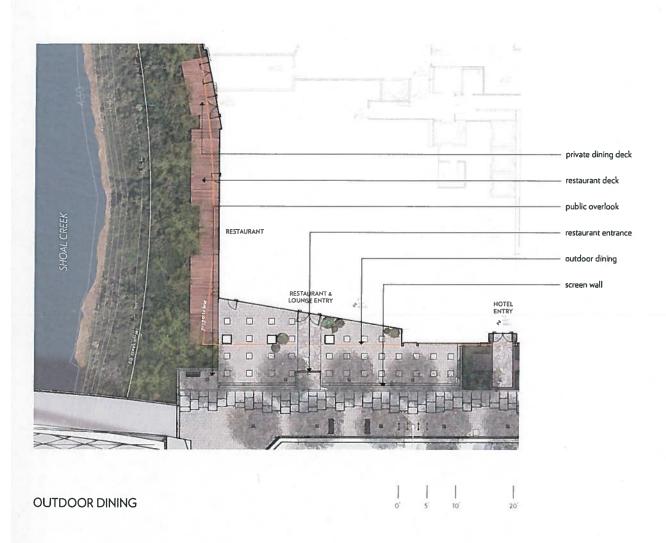


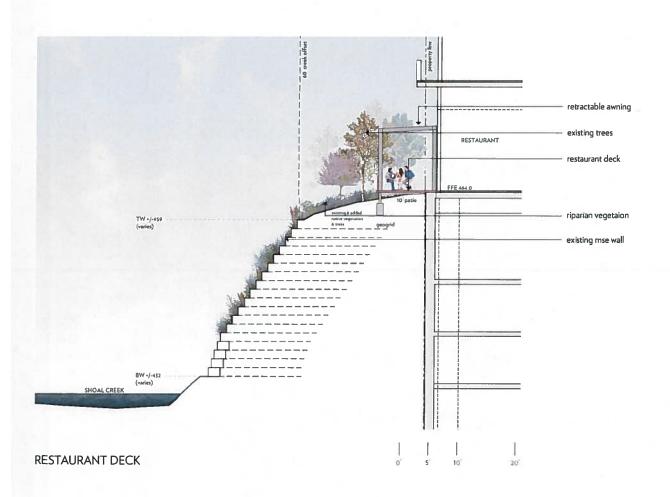
FLOOR PLAN - LEVEL 1

BLOCK 188, AUSTIN, TX | SEPT. 17, 2015

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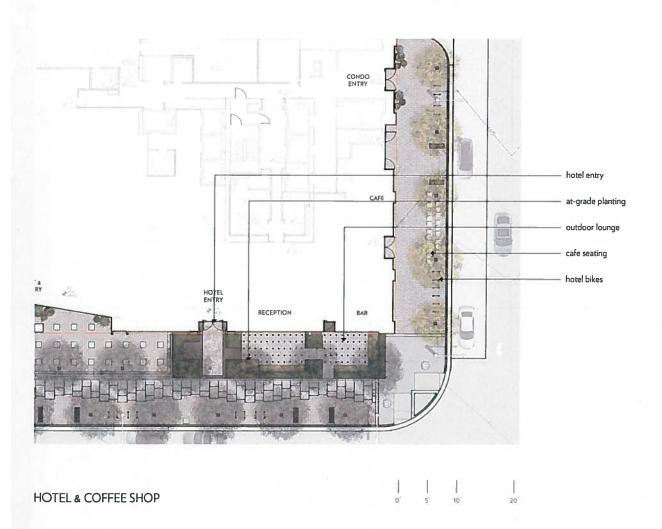


PUBLIC OVERLOOK

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OUTDOOR DINING



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HOTEL ENTRY

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AERIAL VIEW

